

Federal Advisory Committee (FAC) Membership Balance Plan

Please read the [Federal Advisory Committee Membership Balance Plan Guidance](#) prior to completing this form

DEPARTMENT OF HOMELAND SECURITY
(1) FEDERAL ADVISORY COMMITTEE NAME <i>State the legal name of the FAC</i>
Commercial Fishing Safety Advisory Committee
(2) AUTHORITY <i>Identify the authority for establishing the FAC</i>
Title 46, United States Code, section 4508, as amended by section 604 of the Coast Guard Authorization Act of 2010, (Public Law 111-281).
(3) MISSION/FUNCTION <i>Describe the mission/function of the FAC</i>
The Commercial Fishing Safety Advisory Committee may advise, consult with, report to, and make recommendations to the Secretary of the Department of Homeland Security and the United States Coast Guard on matters and actions relating to the safe operation of vessels to which Chapter 45 of Title 46 United States Code applies, including navigational safety, safety equipment and procedures, marine insurance, vessel design, construction, maintenance and operation, and personnel qualifications and training. The Commercial Fishing Safety Advisory Committee may review proposed regulations under Chapter 45 of Title 46 United States Code. The Commercial Fishing Safety Advisory Committee may also make available to Congress any information, advice, and recommendations that the Committee is authorized to give to the Secretary of the Department of Homeland Security and the United States Coast Guard.
(4) POINTS OF VIEW <i>Based on understanding the purpose of the FAC,</i> <i>(a) describe the process that will be used to ensure the committee is balanced, and identify the categories (e.g. individual expertise or represented interests) from which candidates will be considered;</i> <i>(b) consider identifying an anticipated relative distribution of candidates across the categories; and</i> <i>(c) explain how a determination was made to appoint any individuals as Special Government Employees or Representative members</i>
By law, the Committee shall consist of 18 members with particular expertise, knowledge, and experience regarding the commercial fishing industry as follows: a. Ten members who shall represent the commercial fishing industry and who— (1) reflect a regional and representational balance; and (2) have experience in the operation of vessels to which Chapter 45 of Title 46, United States Code applies, or as crew member or processing line worker on a fish processing vessel;

b. Three members who shall represent the general public, including, whenever possible—

(1) an independent expert or consultant in maritime safety;

(2) a marine surveyor who provides services to vessels to which Chapter 45 of Title 46, United States Code applies; and

(3) a person familiar with issues affecting fishing communities and families of fishermen;

c. One member each of whom shall represent—

(1) naval architects and marine engineers;

(2) manufacturers of equipment for vessels to which Chapter 45 of Title 46, United States Code applies;

(3) education or training professionals related to fishing vessel, fish processing vessel, or fish tender vessel safety or personnel qualifications;

(4) underwriters that insure vessels to which Chapter 45 of Title 46, United States Code applies; and

(5) owners of vessels to which Chapter 45 of Title 46, United States Code applies.

The members referred to in paragraphs a and c, above, are appointed to express the viewpoint of non-governmental entities, recognizable groups, or stakeholders that have interests in the subject matter under the committee's charge and are not Special Government Employees as defined in section 202(a) of Title 18, United States Code.

The members referred to in paragraph b, above, are appointed and serve as Special Government Employees as defined in section 202(a) of Title 18, United States Code.

(5) OTHER BALANCE FACTORS

List any other factors your agency identifies as important in achieving a balanced FAC

Members selected to represent the general public and industry as outlined in paragraphs b and c in Section 4 above, will also be selected so as to provide a regional and fisheries balance to the extent possible and practicable.

To ensure that the recommendations of the Committee take into account the needs of diverse groups served by the Department of Homeland Security, membership will also consider, to the extent practicable, individuals and/or organizations to represent minorities, women, and persons with disabilities.

(6) CANDIDATE IDENTIFICATION PROCESS

Summarize the process intended to be used to identify candidates for the FAC, key resources expected to be tapped to identify candidates and the key persons (by position, not name) who will evaluate FAC balance. The summary should:

(a) describe the process

(b) identify the agency key staff involved (by position, not name)

(c) briefly describe how FAC vacancies, if any, will be handled by the agency; and

(d) state the membership term limit of FAC members, if applicable

At least once each year, the Secretary of Department of Homeland Security shall publish a notice in the Federal Register and in newspapers of general circulation in coastal areas soliciting nominations for membership on the Committee, and after timely notice is published, appoint members of the Committee. The Secretary may not seek or use information concerning the political affiliation of individuals in making appointments to the Committee. An individual selected and appointed to the Committee may serve no more than two terms, consecutively.

The Designated Federal Officer will review the applications/resumes of candidates for the Committee position vacancies. A prioritized list of the qualified applicants will be provided for review and vetting by the required offices. Recommendations will be made for primary and alternate appointments for consideration by the Secretary. The appointment recommendations will be determined based upon the experience of the candidates in the commercial fishing industry and the specific criteria associated with the position category to which they have applied. The best qualified individuals providing a regional balance on the Committee will be recommended as the primary appointees. Alternate appointees will be recommended based upon acceptable experience in the industry and specific criteria for the position category, and also providing a regional balance to the greatest extent possible based on applications received.

If a vacancy occurs in the membership of the Committee, the Designated Federal Officer will recommend to the Secretary to appoint a member from the alternate list on file. A member appointed to fill an unexpired term shall serve the remainder of that term.

A Committee member may serve up to two terms. Approximately one-third of the members' terms of office will expire each year.

(7) SUBCOMMITTEE BALANCE

Subcommittees subject to FACA should either state that the process for determining FAC member balance on subcommittees is the same as the process for the parent FAC, or describe how it is different*

**This is relevant to those agencies that require their subcommittees to follow all FACA requirements.*

There are no standing subcommittees on the Commercial Fishing Safety Advisory Committee subject to the Federal Advisory Committee Act. During regular Committee meetings, working groups may be convened. Outcomes from a working group are discussed by the whole Committee and decisions or recommendations are made after such discussion. Any working group is composed of Committee members that desire to work on the particular issue or tasking and any public attendees that wish to participate.

(8) OTHER

Provide any additional information that supports the balance of the FAC

Not Applicable.

(9) DATE PREPARED/UPDATED

Insert the actual date the Membership Balance Plan was initially prepared, along with the date(s) the Plan is updated

Prepared: February 10, 2011

Updated: September 1, 2016